



DEPARTMENT OF THE NAVY
BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5720
PERS 00J6/20180184
January 19, 2018

Mr. David Schroeder
1723 Chadbourne Avenue
Madison, WI 53726

Dear Mr. Schroeder:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST

This is in response to your Freedom of Information Act (FOIA) request of January 18, 2018. You seek general statistics without personally identifiable information for the past five years reflecting the number of Naval Officers with a civil and/or military conviction for DUI (or an equivalent offense), whether they were promoted or not promoted, and in the case of promotion, whether they were promoted on the first or second look. Your request was received in this office (PERS-00J) on January 19, 2018, and has been assigned correspondence number CNPC20180184 by this command.

Your request was reviewed by our Personnel Performance and Security Branch (PERS-833) as they would be the only office to potentially maintain responsive statistics. PERS-833 does not maintain the sought statistical information. An activity is not required to create or compile information for the sole purpose of responding to a FOIA request.

If you believe an adequate search of this command's records was not conducted, you have the right to appeal this "No Records" determination, in writing, to the Office of the Judge Advocate General, OJAG Code 14, 1322 Patterson Avenue SE Suite 3000, Washington Navy Yard, DC 20374-5066.

Should you believe the submission of an appeal necessary, it must be received in that office within 90 calendar days from the date of this letter in order to be considered. Please attach a copy of this letter and the original request. Include a statement regarding why you believe this command may possess records responsive to your request. Please mark both the envelope and your appeal letter "FOIA/PA APPEAL."

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No assessable FOIA fees were associated with the processing of your request. I am the official responsible for this "No Records" response regarding records maintained by this command. Should you wish to discuss this matter, you may contact the undersigned at (901) 874-3165. You may also contact the DON FOIA Public Liaison, Christopher Julka, at Christopher.a.julka@navy.mil or at (703) 697-0031. In addition, the Office of Government Information Services (OGIS) provides a voluntary mediation process for resolving disputes between persons making FOIA requests and the Department of the Navy (DON). Their website is below: <https://www.archives.gov/ogis/about-ogis/contact-information>.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. P. German', with a stylized flourish extending from the end.

D. P. GERMAN
FOIA/PA Officer
By direction